

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1.1.1 to allow a sign of 31 square feet in area, instead of 15 square feet in area, for identification of the apartment building, with rental office.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Identification needed. Because of the size and scope of building (6 stories), and nature of the commercial area to the south of the subject property, limitation of sign to 15 square feet presents a great hardship and practical difficulty - small sign is entirely out of character with such building and area. Grant of variance in harmony with the spirit and intent of the sign regulations and will result in no injury to public health, safety or general welfare.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
 (Type or Print Name) JOPPA ROAD REALTY LIMITED PARTNERSHIP  
 (Type or Print Name)  
 Signature: By: James Reedy, III, Partner  
 Address: (Type or Print Name)  
 City and State: Signature: c/o Eugene P. Smith  
 Attorney for Petitioner: 1400 Equitable Bank Center  
 Eugene P. Smith 100 South Charles Street  
 (Type or Print Name) Baltimore, Maryland 21201  
 1400 Equitable Bank Center Phone No. 332-8713  
 100 South Charles Street  
 Baltimore, Maryland 21201  
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
 City and State: Name: Address: Phone No.  
 Attorney's Telephone No.: (301) 332-8713  
 18th  
 Presented By The Zoning Commissioner of Baltimore County, this 18th day of December 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 4th day of February 1985, at 10:45 o'clock.

Call John  
 Zoning Commissioner of Baltimore County.

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS

MICROFILMED

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
 TO: Zoning Commissioner Date: January 17, 1985  
 Norman E. Gerber, Director  
 FROM: Office of Planning and Zoning  
 SUBJECT: Zoning Petitions No. 85-210-A,  
 85-212-A,  
 85-214-A,  
 85-215-A,  
 85-216-A,  
 85-217-X &  
 85-218-X

There are no comprehensive planning factors requiring comment on this petition.

NEG:JCH:bjs

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 28, 1985

COUNTY OFFICE BLDG.  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21204

Chairman  
 Nicholas B. Commodari

MEMBERS  
 Bureau of Engineering  
 Department of Traffic Engineering  
 State Roads Commission  
 Bureau of Fire Prevention  
 Health Department  
 Project Planning  
 Building Department  
 Board of Education  
 Zoning Administration  
 Industrial Development

Eugene P. Smith, Esquire  
 1400 Equitable Bank Center  
 100 South Charles Street  
 Baltimore, Maryland 21201

RE: Item No. 158 - Case No. 85-212-A  
 Joppa Road Realty Limited Partnership  
 Variance Petition

Dear Mr. Smith:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari  
 NICHOLAS B. COMMODARI  
 Chairman  
 Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: Triangle Sign  
 3343 Washington Blvd.  
 Baltimore, Maryland 21227

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Edward Hardisty  
 FROM: Oliver L. Myers  
 SUBJECT: Item 50- (1970-1971)  
 Property Owners: Joppa Road Realty Co.  
 N/S Joppa Road Int. with Edgerton Road  
 Present Zoning: RA  
 Proposed Zoning: Special Exception for Offices and Beauty Salon on first floor Parking Variance  
 District: 9th  
 No. Acres: 2.103

This property was previously commented upon as Item #19 (1969-1970) and at that time, certain problems had not been resolved. As of this date, it is our understanding that all matters have been settled except for the installation of onsite storm drainage facilities. The property owner is still obligated to construct the onsite storm drainage facilities as shown "by others" on Baltimore County Bureau of Engineering drawing #66-099 (4). Since all required highway improvements have been constructed and all public utilities exist, this office has no further comment.

Ellsworth N. Diver  
 ELLSWORTH N. DIVER, P.E.  
 Chief, Bureau of Engineering

END:EAH:RD:iss  
 "N" N.W. Key Sheet  
 37 N.E. 7 Position Sheet  
 N.E. 10-5 200' Scale Topo

## BUREAU OF ENGINEERING

### Zoning Plat - Comment

19. Property Owners: Joppa Road Realty Company  
 (1969-1970)  
 Locations: N/E corner Joppa Road and Edgerton Road  
 District: 9th  
 Present Zoning: RA (Rudowood Towers)  
 Proposed Zoning: 1) S.F. for 7,912 sq. ft. for Medical, Dental, & Legal Professionals. Per Sec. 215.5  
 2) S.F. for 800 sq. ft. for Beauty Salon for convenience of the tenants. Per Sec. 402.4  
 3) Variance to Sec. 409.2b (5) Parking for 95 spaces instead of the required 104.  
 No. Acres: 2.103

This office is greatly opposed to the granting of any special exception or variance to the zoning regulations for the subject property until certain obligations and fiscal matters, currently being reviewed by the various agencies of Baltimore County, have been resolved. Apparently title to the subject property has been transferred from P.S.W. Associates, 2652 Nichols Avenue, S.E., Washington, D.C. to the Joppa Road Realty Company; however, we feel the present owner has assumed responsibility for any outstanding commitments or obligations.

Under Public Works Agreement #96421 and Commercial Building Permit #566-41, the Developer was required to construct certain onsite storm drainage facilities and public sidewalks. As of this date these improvements have not been initiated. Currently, the Office of Law is attempting to collect monies owed to the County under previous highway and utility contracts. The subject property has been a recent source of complaint as a result of the lack of onsite storm drain facilities.

The Office of Law, Bureau of Highways, Bureau of Public Services, Bureau of Administrative Services, Department of Public Works, and the Building Engineer's office have been involved in the above mentioned matters and more specific details could be obtained from those agencies.

RD:sw

"N" N.W. Key Sheet  
 37 N.E. 7 Position Sheet  
 N.E. 10-5 200' Scale Topo



HARRY J. PISTEL, P.E.  
 DIRECTOR

January 25, 1985

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

Re: Item #158 (1984-1985)  
 Property Owner: Joppa Road Realty Limited Partnership  
 N/E cor. Joppa Rd. and Edgerton Rd.  
 Acres: 2.225  
 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Baltimore County highway and utility improvements exist and are not directly involved. This office has no comment.

Comments were supplied for this property in connection with Zoning Items 19 (1969-1970) and 50 (1970-1971).

Very truly yours,

James A. Markle, P.E., Chief  
 Bureau of Public Services

JAM:EAH:RD:iss

N-W Key Sheet  
 37 N.E. 7 Pos. Sheet  
 NE 10-5 Topo  
 70 Tax Map

Encls.

85-212-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your petition has been received and accepted for filing this 18th day of December 1984.

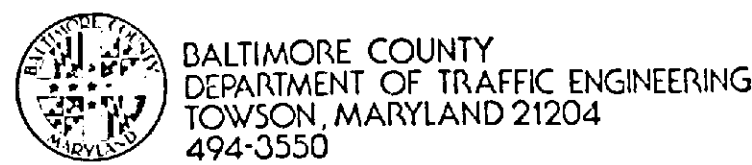
Joppa Road Realty  
 Limited Partnership  
 Petitioner  
 Eugene Smith, Esquire  
 Attorney

ARNOLD JABLON  
 Zoning Commissioner  
 Received by: Nicholas B. Commodari  
 Chairman, Zoning Plans  
 Advisory Committee



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should/should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit



STEPHEN E. COLLINS  
DIRECTOR

January 21, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

ZAC- Meeting of December 18, 1984

Item No. 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, & 167  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

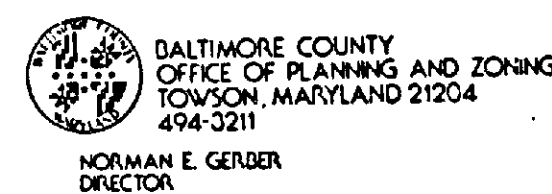
Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 157, 158, 159, 160, 161, 162, 163, 164, 165, 166 & 167.

Michael S. Flanagan  
Traffic Engineering Assoc. III

MEF/ccm

95-22A  
214



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

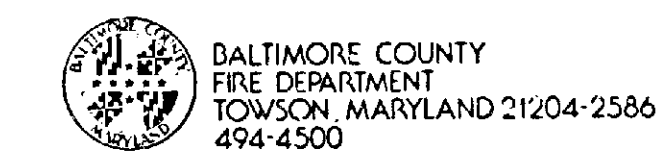
Re: Zoning Advisory Meeting of 12/18/84  
Item # 158  
Property Owner: JOPPA ROAD REALTY LIMITED PARTNERSHIP  
Location: NE/Cor. Joppa Rd. Edgerton Rd.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ( ) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) Parking calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board.
- ( ) Landscaping should be provided on this site and shown on the plan.
- ( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Area are re-evaluated annually by the County Council.
- ( ) Additional comments:

Eugene A. Bobb  
Chief, Current Planning and Development



PAUL H. REINCKE  
CHIEF

December 18, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Joppa Road Realty Limited Partnership

Location: NE/Cor. Joppa Road and Edgerton Road

Item No.: 158

Zoning Agenda: Meeting of 12/18/84

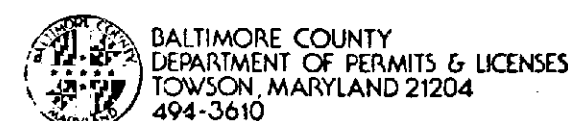
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- (X) 7. The Fire Prevention Bureau has no comments, at this time.

Noted and Approved: *George McInerney*  
Fire Prevention Bureau  
Special Inspection Division

/mb



TED ZALESKI JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 158 Zoning Advisory Committee Meeting are as follows:

Property Owner: Joppa Road Realty Limited Partnership  
Location: NE/Cor. Joppa Road and Edgerton Road  
Existing Zoning: D.R. 16  
Proposed Zoning: Variance to permit a sign 32 sq. ft. in lieu of the required 15 sq. ft.

Acres: 2.225  
District: 9th.

The items checked below are applicable:

( ) All structures shall conform to the Baltimore County Building Code 1981/Comcell Bill 14-82 State of Maryland Code for the Building and other applicable Codes.

(X) A building permit shall be required before beginning construction.

( ) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

( ) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

( ) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 1407 and Table 1402, also Section 503.2.

( ) Requested variance appears to conflict with the Baltimore County Building Code, Section/s \_\_\_\_\_.

( ) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

( ) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 205 and the required construction classification of Table 101.

( ) Comments - Signs shall comply with Article 1900.0 and its amendments in Bill 14-82.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,  
*Charles E. Burnham*  
Charles E. Burnham, Chief  
Plans Review

CEB:es

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
NE Corner of Joppa & : OF BALTIMORE COUNTY  
Edgerton Rds., 9th Dist.  
JOPPA ROAD REALTY LIMITED : Case No. 85-212-A  
PARTNERSHIP, Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 225, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 11th day of January, 1985, a copy of the foregoing Entry of Appearance was mailed to Eugene P. Smith, Esquire, 1400 Equitable Bank Center, 100 S. Charles Street, Baltimore, MD 21201, Attorney for Petitioner.

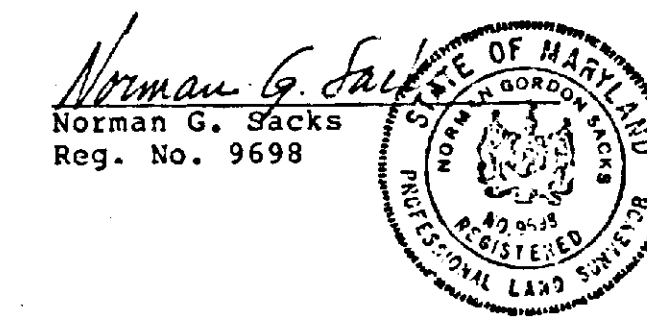
*Peter Max Zimmerman*  
Peter Max Zimmerman

DESCRIPTION OF PARCEL OF LAND OWNED BY  
JOPPA ROAD REALTY COMPANY

Beginning for the same at a pipe found, on the northeast corner of Joppa Road and Edgerton Road, said pipe being located at the beginning of the seventh line of that parcel of land described in a deed dated December 19, 1968, from Sidney M. Polakoff et al to Joppa Road Realty Company, a limited partnership and recorded among the land records of Baltimore County in Liber O.T.G. 4949, Folio 428; thence running with and binding on the east side of Edgerton Road (50' wide) the four following courses and distances as now surveyed; (1) N 23° 09' 11" E, 4.66 feet to an iron bar set; (2) by a line curving to the left with a radius of 693.21 feet, for a distance of 104.52 feet, said curve being subtended by a chord bearing N 18° 50' 00" E, 104.42 feet, to a railroad spike set; (3) N 14° 30' 50" E, 102.40 feet, to a railroad spike set; (4) N 63° 15' 45" E, 21.48 feet, to a railroad spike set, on the south side of Edgemont Road (40' wide); thence binding on the south side of Edgemont Road the following course and distance as now surveyed; (5) S 70° 57' 10" E, 378.09 feet, to a punch hole set; thence leaving the south side of Edgemont Road, and running with and binding on the east side of the herein described parcel of land the three following courses and distances as now surveyed; (6) S 17° 42' 05" W, 106.95 feet, to an iron bar set; (7) S 62° 04' 25" W, 38.98 feet, to a pipe found; (8) S 17° 04' 26" W, 141.61 feet, to an iron bar set on the north side of Joppa Road; thence running with and binding on the north side of Joppa Road, the three following courses and distances; (9) W 64° 56' 02" W, 36.16 feet, to an iron bar set; (10) by a line curving to the left with a radius of 10,137.10 feet, for a distance of 300.72 feet, said curve being subtended by a chord bearing N 65° 47' 07" W, 300.71 feet, to an iron bar set; (11) N 38° 08' 20" W, 36.03 feet, to a pipe found, and the point of beginning.

Containing 2.225 acres of land more or less as surveyed by Norman G. Sacks Associates, Inc.

Subject to a 10 foot drainage and utility easement along the sixth or S 17° 42' 05" W, 106.95 foot line of the herein described parcel of land.



PETITION FOR VARIANCE  
9th Election District

LOCATION: Northeast corner of Joppa Road and Edgerton Road

DATE AND TIME: Monday, February 4, 1985 at 10:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to allow a sign of 33 square feet in area instead of 15 square feet in area for identification of the apartment building, with rental office.

Being the property of Joppa Road Realty Limited Partnership as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



December 27, 1984

Eugene P. Smith, Esquire  
1400 Equitable Bank Center  
100 South Calvert Street  
Baltimore, Maryland 21201

# NOTICE OF HEARING

RE: Petition for Variance  
NE/cor. Joppa and Edgerton Rds.  
Joppa Road Realty Limited Partnership - Petitioner  
Case No. 85-212-A

TIME: 10:45 a.m.

DATE: Monday, February 4, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake

Avenue, Towson, Maryland

# CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 224 Date of Posting: 1/14/85  
Post for: Notice to allow a sign for identification  
Petitioner: Joppa Road Realty Limited Partnership  
Location of property: NE/cor. Joppa & Edgerton Rds.  
Location of Sign: Across Joppa Rd. across D.R. from Joppa Rd. to Edgerton Rd.  
Remarks: Sign placed on the building.  
Posted by: [Signature] Date of return: 1/18/85  
Number of Signs: 1

# CERTIFICATE OF PUBLICATION

85-212-A

Towson, Md. 1/29 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive weeks, the first publication appearing on the 10th day of Jan 1985

The TOWSON TIMES  
M. Ungar  
Cost of Advertisement: \$ 25.97

# CERTIFICATE OF PUBLICATION

TOWSON, MD. January 17, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 17, 1985

THE JEFFERSONIAN,

[Signature]  
Publisher

85-212-A

Cost of Advertising

\$20.00



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

January 29, 1985

Eugene P. Smith, Esquire  
1400 Equitable Bank Center  
100 South Calvert Street  
Baltimore, Maryland 21201

RE: Petition for Variance  
NE/cor. Joppa and Edgerton Rds.  
Joppa Road Realty Limited Partnership - Petitioner  
Case No. 85-212-A

Dear Mr. Smith:

This is to advise you that \$50.97 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 004351

[Signature]  
ARNOLD JABLON  
Zoning Commissioner

DATE: 1/29/85 ACCOUNT: 85-212-A

AMOUNT \$ 50.97

RECEIVED FROM: [Signature]

FOR: [Signature]

85-212-A  
VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION ZONING VARIANCE  
NE/cor. Joppa and Edgerton Roads - 9th Election District  
Joppa Road Realty Limited Partnership,  
Petitioner  
BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 85-212-A

# FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to allow an identification sign for an apartment building with a rental office of 33 square feet instead of the allowed 15 square feet, as more fully described on Petitioner's Exhibit 6.

The Petitioner, by Michael Keilty, a partner, appeared and was represented by Counsel. There were no Protestants. Mary Ginn, a member of a number of community associations, appeared and testified but was not opposed to this particular request.

Testimony indicated that the Petitioner recently purchased Eudowood Towers, an 84-unit apartment building located on Joppa and Edgerton Roads, zoned D.R. 16. The Petitioner wishes to locate an attractive sign on the building, approximately 23 or 24 feet above the grade of Joppa Road, so that it can be easily identified. The building is surrounded by shopping centers and other commercial uses on Joppa Road but there are also residential uses nearby.

The sign's letters will be one foot high. Those used to make up "Eudowood" will be approximately eight feet long and those used for "Towers", which will be directly below "Eudowood", will be approximately six feet long. They will be attached to a "racement" which is a box attached to the building. The building is located in a unique position in that two of the six stories are below the grade of Joppa Road. There is a walkway from Joppa Road which connects to the third floor of the building. The expert from Triangle Sign & Service Company

who designed the sign testified that the letters are the minimum height necessary to insure visibility and recognition. It will be visible from Joppa Road but not from the residential areas. Soft-glow lighting will provide its illumination.

Mrs. Ginn testified that the sign would not be detrimental to the community and that neither she nor the associations she represents are opposed to it.

The Petitioner seeks relief from Section 413.1.d, pursuant to Section 307, Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the vari-

ance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 27th day of February, 1985, that the Petition for Zoning Variance to allow an identification sign for an apartment building with a rental office of 33 square feet instead of the allowed 15 square feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioner may apply for its sign permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

[Signature]  
Zoning Commissioner of Baltimore County

AJ/srl

cc: Eugene P. Smith, Esquire  
People's Counsel

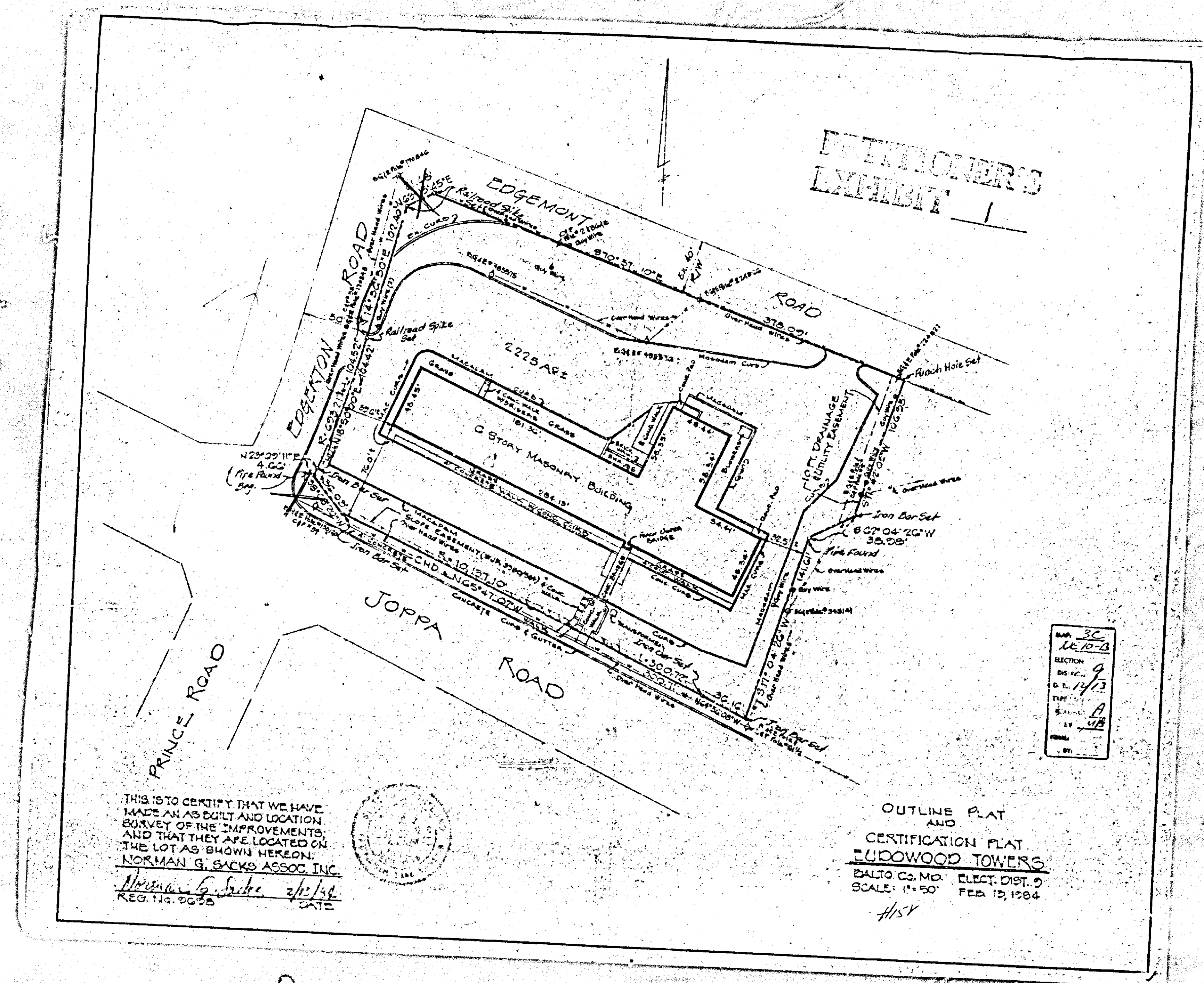
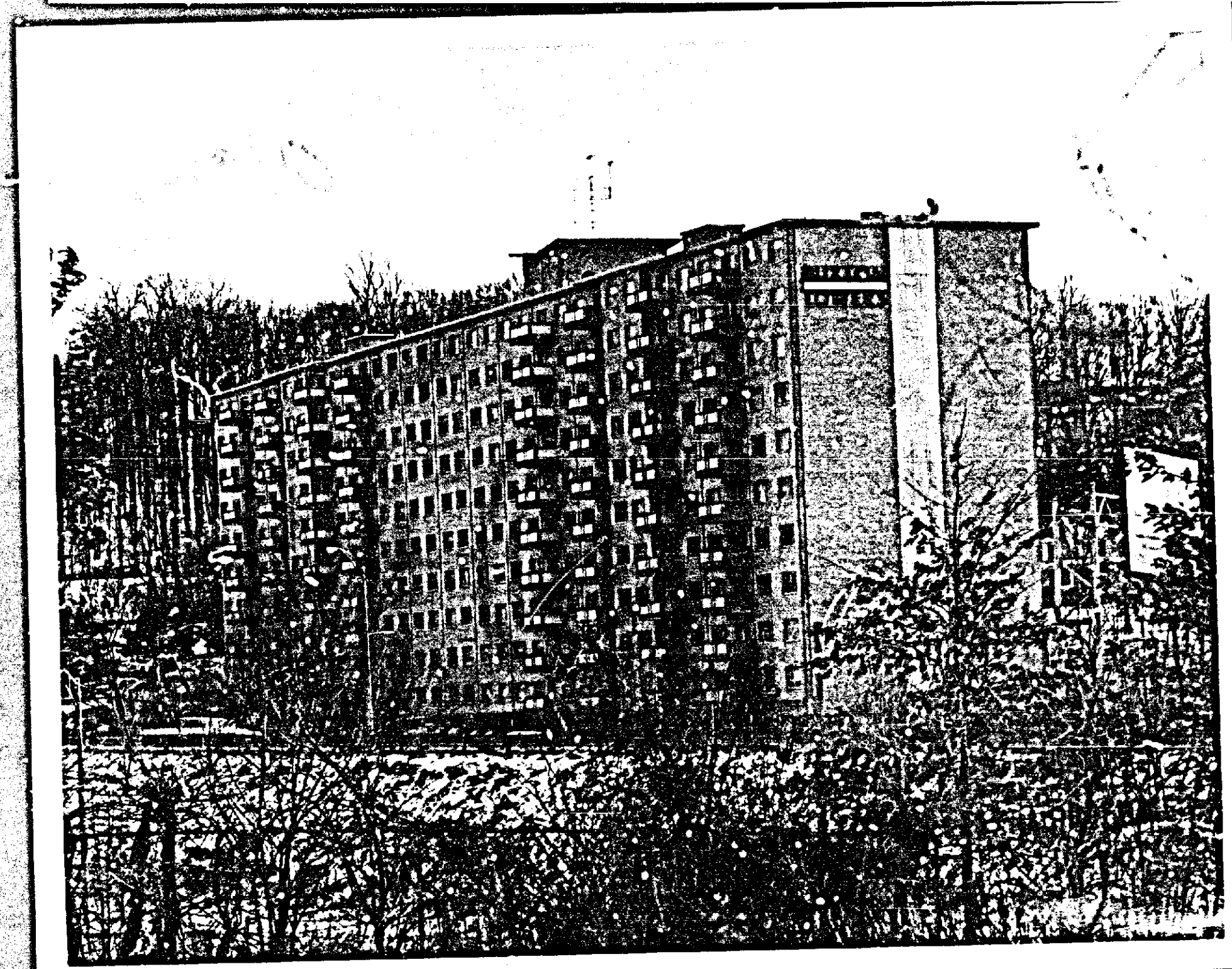
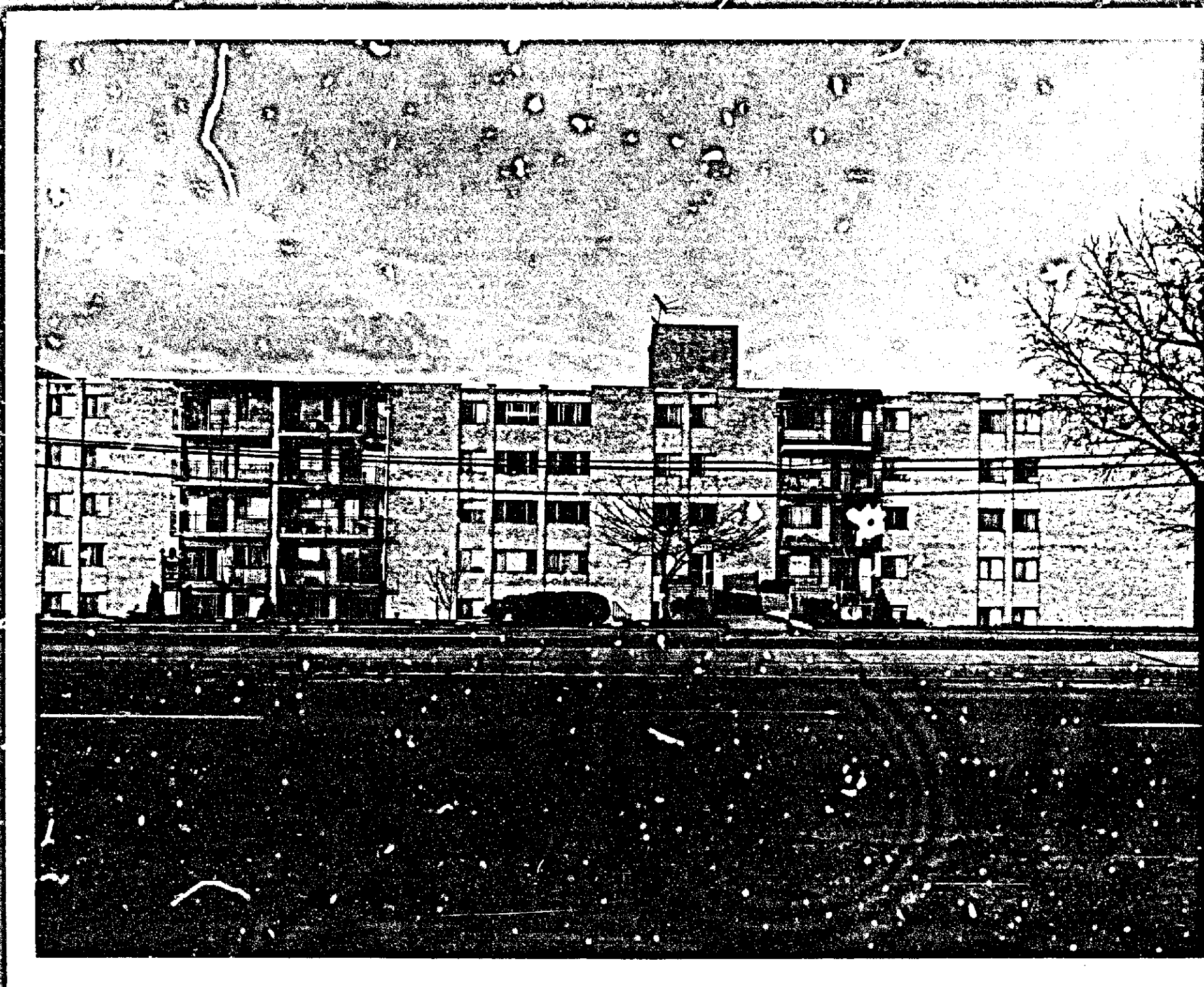


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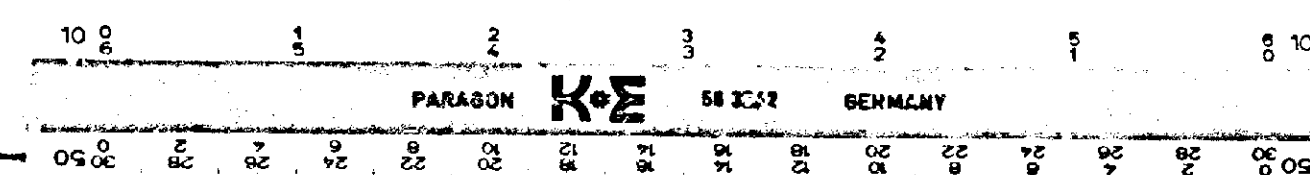
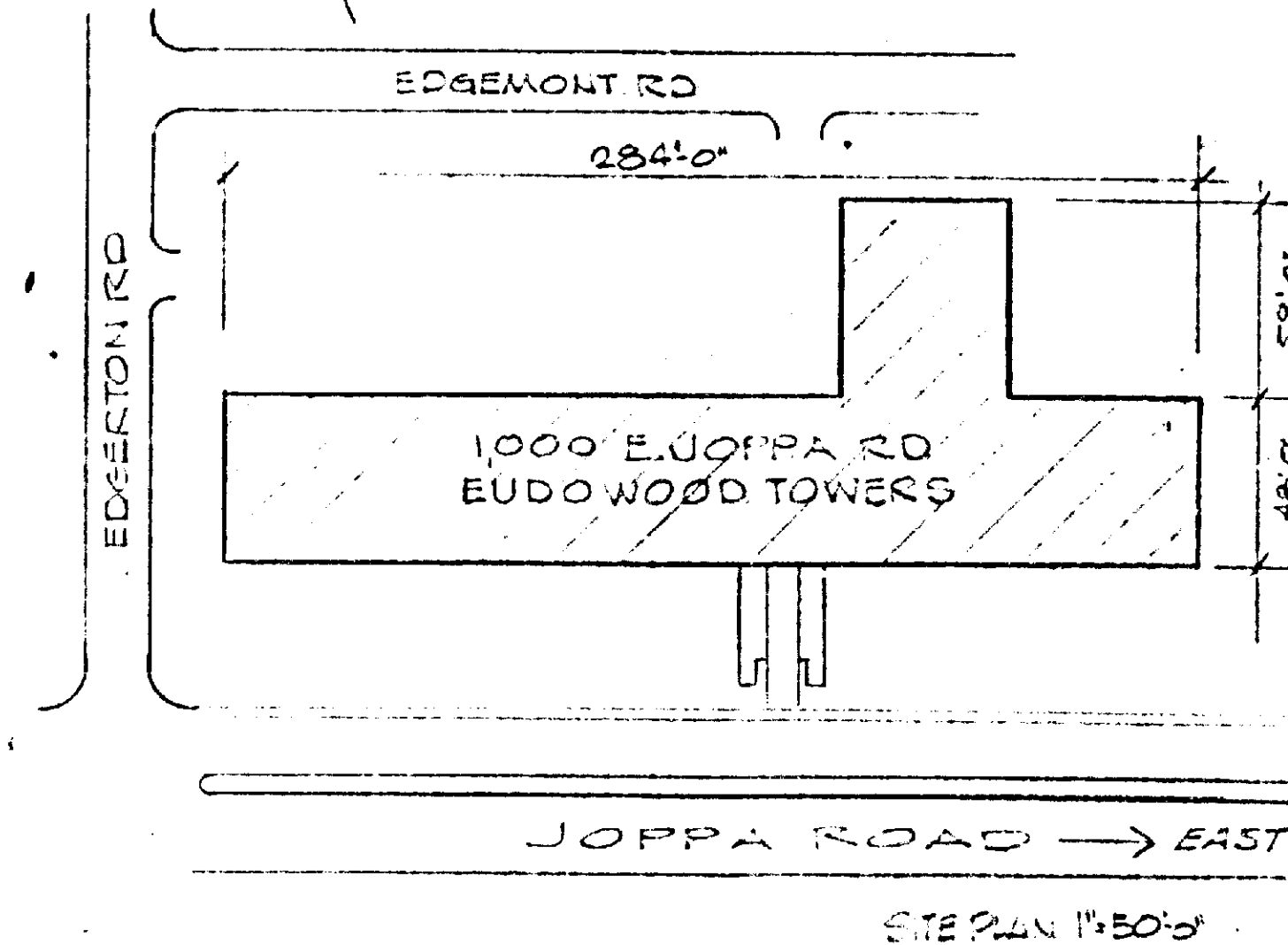
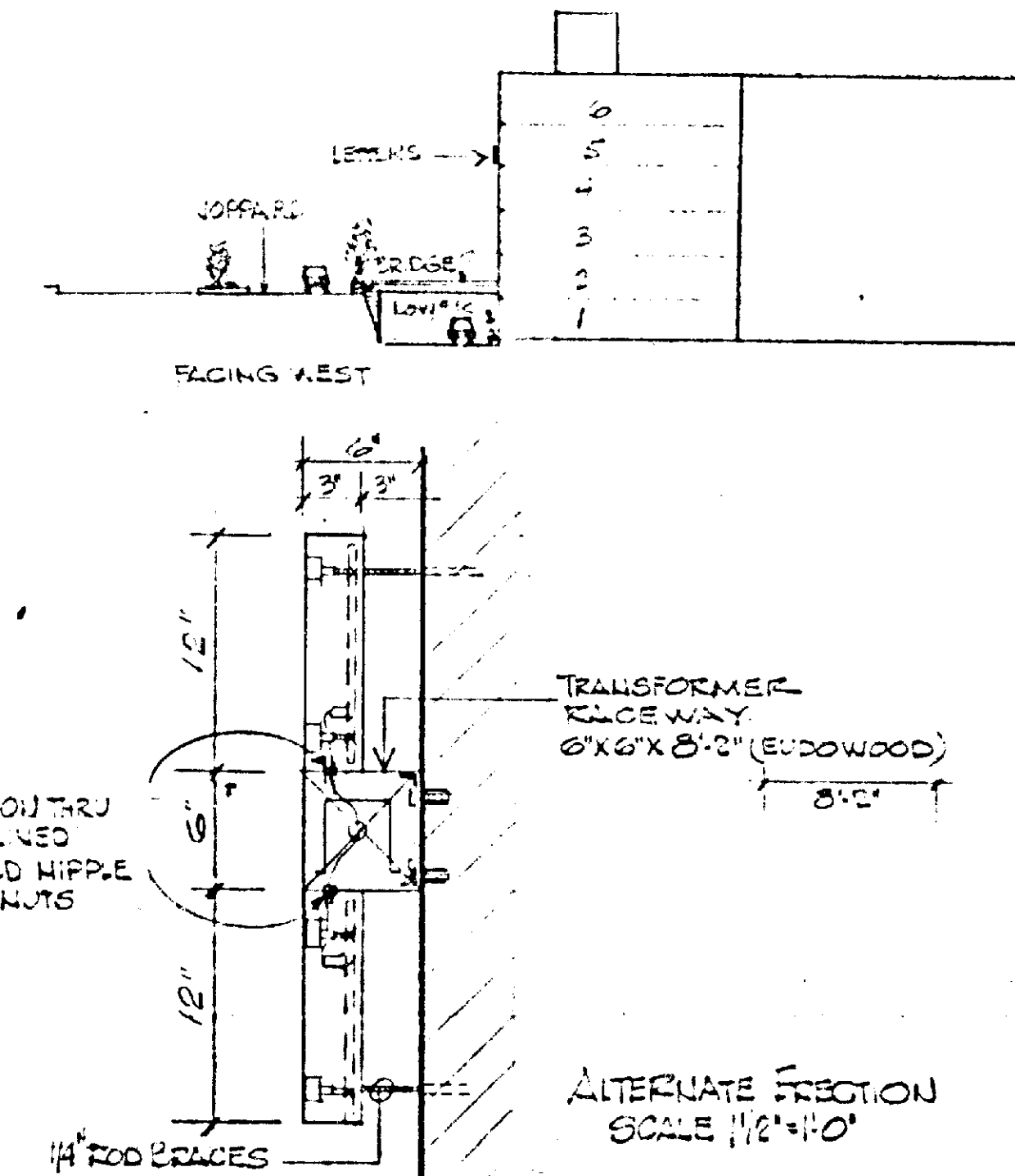
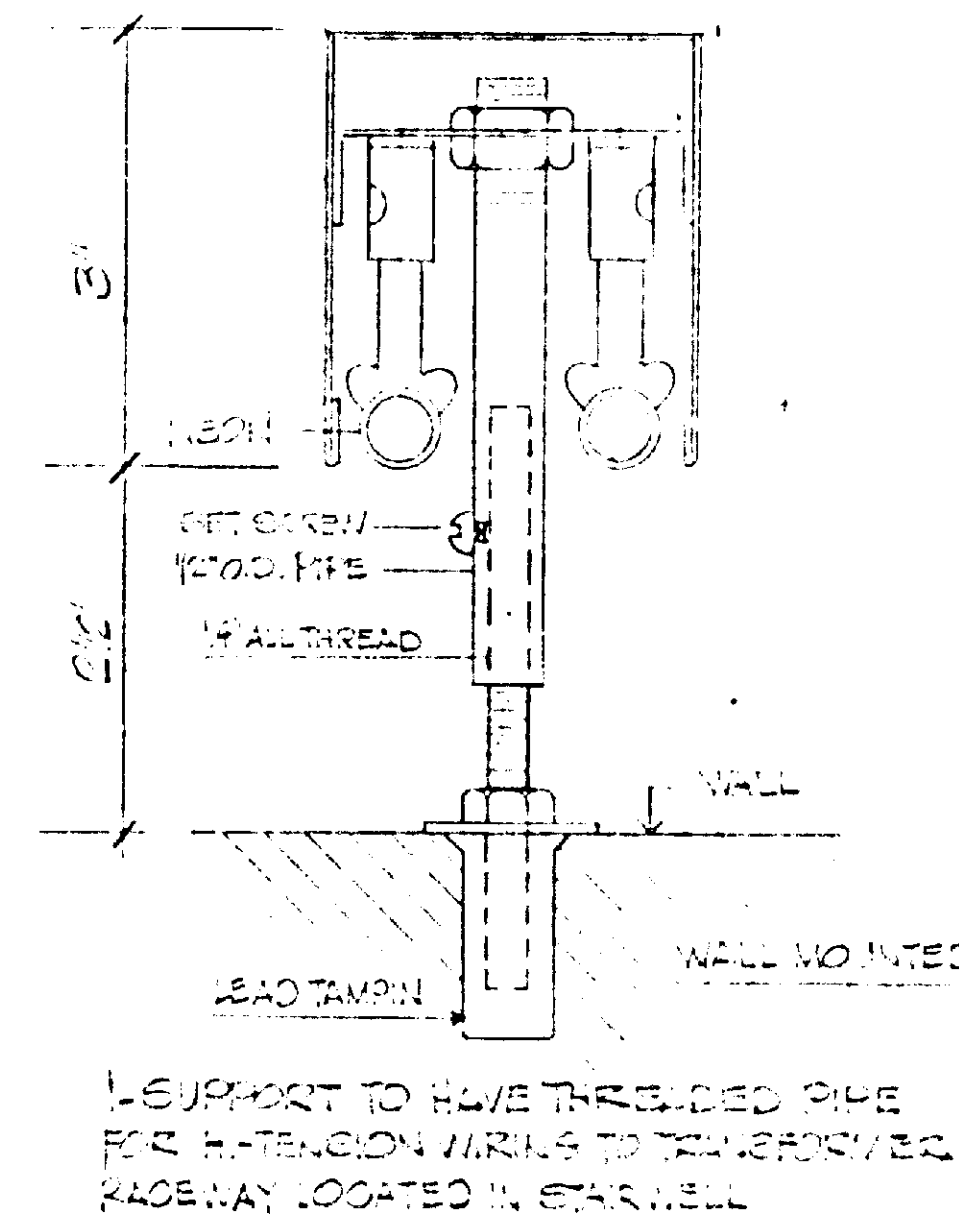
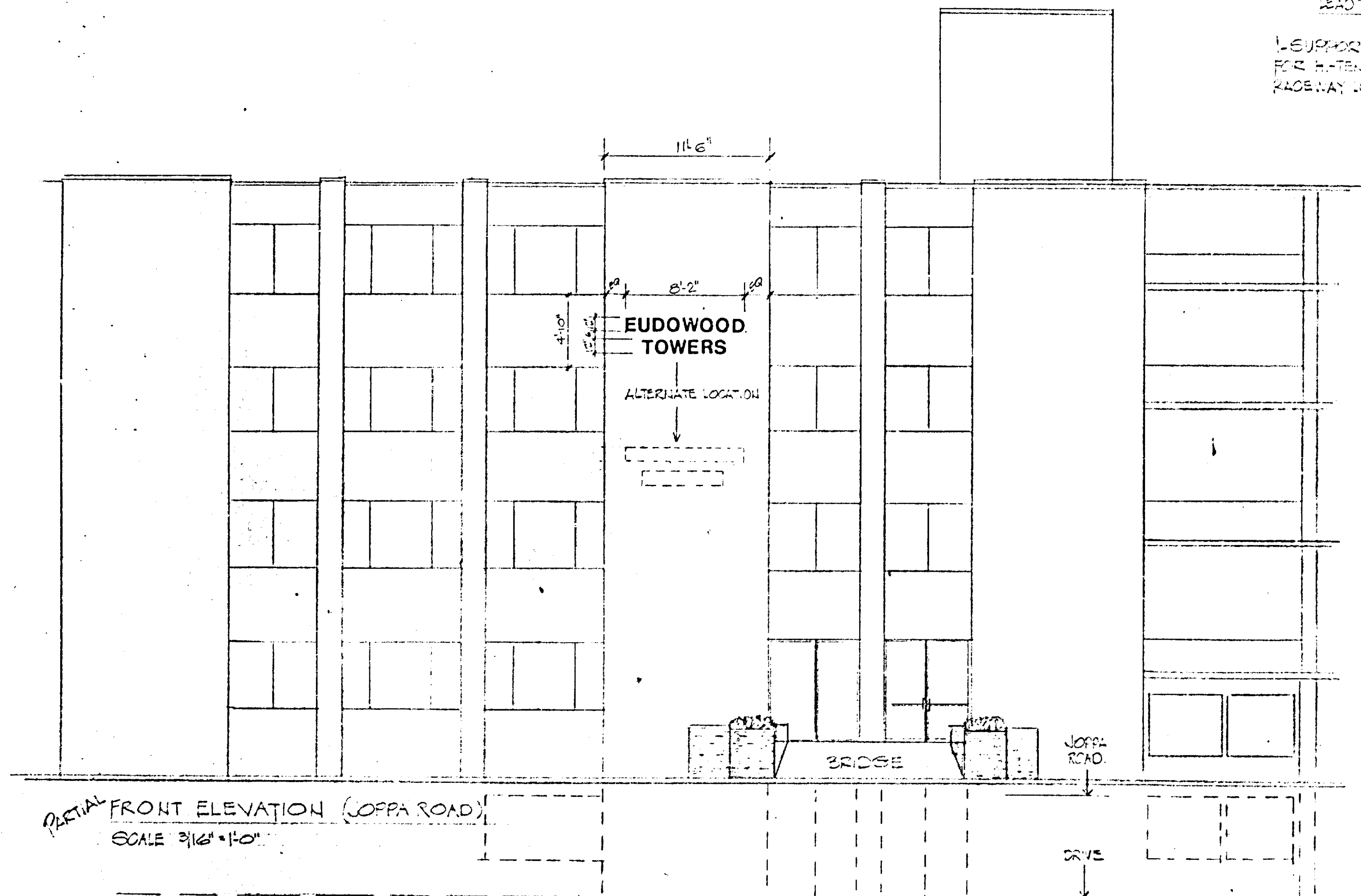
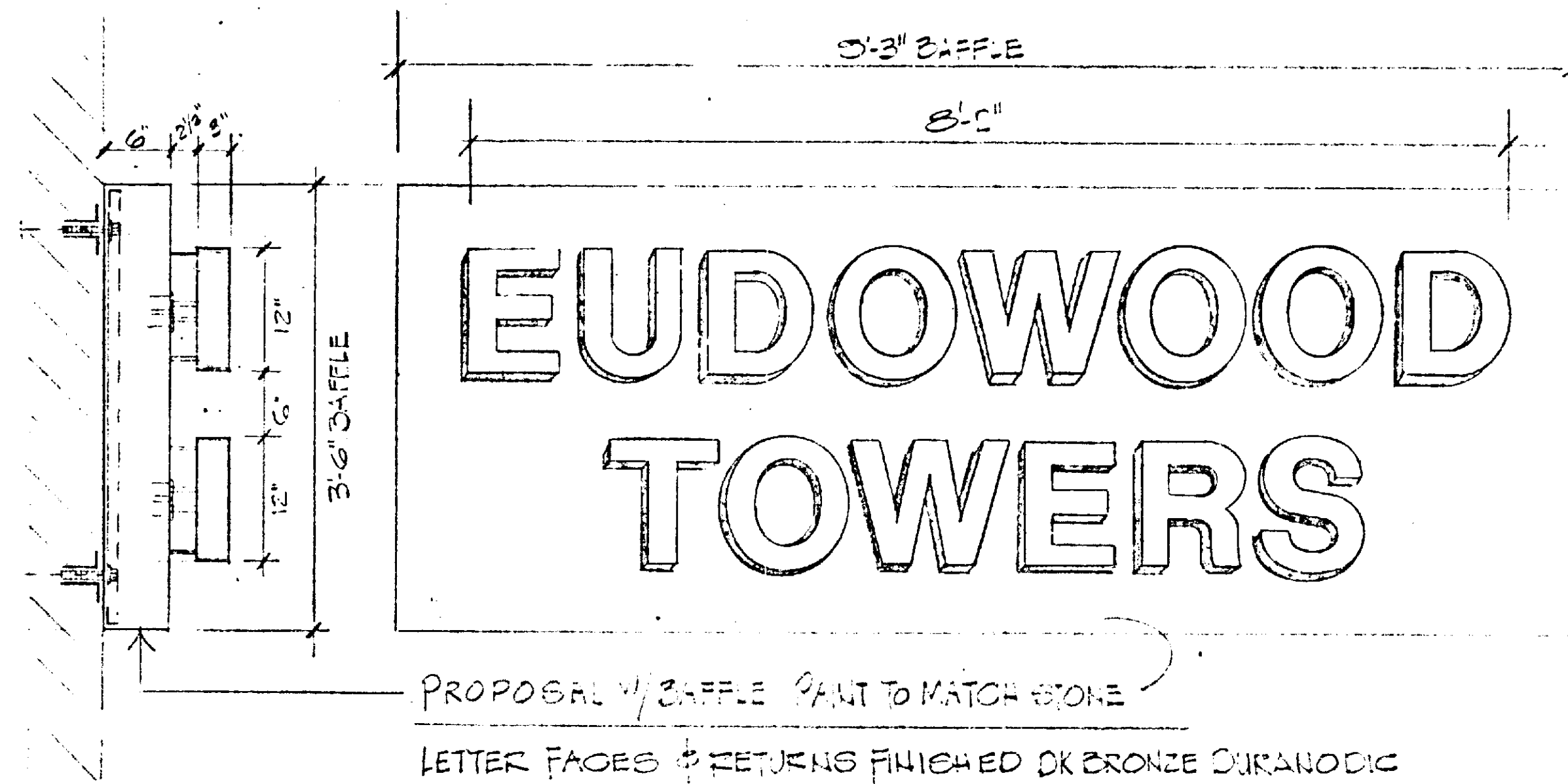
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DATE: 11-12-84 NO. 84587 SCALE: 1/8"=1'-0" sheet no. of  
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